



March 24th, 2023

Rep. Tom Tiffany  
Chairman, Subcommittee on Federal Lands  
451 Cannon HOB  
Washington, DC 20515

Rep. Joe Neguse  
Ranking Member, Subcommittee  
2400 Rayburn HOB  
Washington, DC 20515

**RE: March 28th Federal Lands Subcommittee legislative hearing on outdoor recreation.**

Dear Chair Tiffany, Ranking Member Neguse, and members of the Subcommittee,

Thank you for holding a hearing on recreation legislation. Of the bills under consideration today, we are particularly interested in H.R. 930, the Ski Hill Resources for Economic Development (SHRED) Act of 2023. We strongly support the intent behind the SHRED Act, to keep ski area fees within the National Forest system, but have significant reservations over how the funds in the Ski Area Fee Retention Account would be disbursed. In this testimony, we offer suggestions for your consideration to ensure SHRED truly meets the intent to invest ski area fees into Forest Service recreation management in a fair and equitable manner that benefits all Americans and our natural resources.

Winter Wildlands Alliance is a national non-profit working to inspire and empower people to protect America's wild snowscapes. Winter recreation management on public lands is of keen interest to us and our constituency. Our alliance includes 34 grassroots groups in 16 states and has a collective membership exceeding 130,000. Our members are backcountry skiers and snowboarders, cross-country skiers, ice climbers, fat tire bikers, and winter hikers. Collectively, these activities are the fastest growing segments of the winter sports industry, with up to 30 million participants each year (compared to around 10 million—and declining—who participate annually in resort skiing and snowboarding)<sup>1</sup>

Part of this decline may be related to the increasingly high cost of resort skiing - midweek adult lift tickets for ski areas operating on National Forest lands average \$97 per day, and exceed \$200 per day for some Western resorts.<sup>2</sup> As ski areas ticket prices become increasingly out of reach to the average American, participation in non-resort winter recreation on National Forest lands, and

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<sup>1</sup> Snowsports Industry America (SIA) 2021-2022 Participation Study: 96% growth in backcountry skiing participation (4.3M unique users); 60% growth in Nordic and snowshoeing (22.3M human-powered users); 2.4M winter fat bikers + 67%. Report available for download at <https://tinyurl.com/bdh5vrem>. National Ski Areas Association Industry Statistics available at [www.nsaa.org/NSAA/Media/Industry\\_Stats.aspx](http://www.nsaa.org/NSAA/Media/Industry_Stats.aspx).

<sup>2</sup> See [www.onthesnow.com/united-states/lift-tickets](http://www.onthesnow.com/united-states/lift-tickets)



the importance of supporting and investing in these public recreation resources, will continue to grow.

One hundred and twenty-two commercial ski resorts currently operate under special use permits on Forest Service lands. Although by acre ski areas make up a relatively tiny percentage of National Forest lands, these resorts have an outsized influence on the forests where they are located and the communities bordering those forests. As skiers and snowboarders, our members often have close ties to their local ski area in addition to being backcountry enthusiasts. However, our members have also expressed growing concern over proposed ski area development and expansion projects onto formerly undeveloped public lands and the accompanying potential effects to public access, local communities, wildlife, watersheds, and wildland fire. Because all winter recreationists generally seek similar combinations of snow quality and quantity, terrain, vegetation, and access, ski area expansions often occur at the expense of highly valued dispersed recreation opportunities, as well as watershed and ecosystem integrity. While we see a need to invest in Forest Service special use permitting, we fear the SHRED Act may incentivize the Forest Service to prioritize ski area permitting and development over management of other recreation resources, to the detriment of the recreating public and the national forests.

Ski areas pay a use fee based on the income they derive from use of public lands. As currently drafted, the SHRED Act would direct at least 60% of these fees back into the Forest Service ski area program, for the direct benefit of the ski area(s) on the unit from which these fees were collected. Only 20% of the fees would be available for use for general Forest Service recreation needs on the unit from which the fees were collected (as described in paragraph (5)(B)). An additional 20% of the funds would be available for the Forest Service to use for recreation needs on non-ski area forests, or to augment the funds already being directed to the Forest Service ski area program under paragraph 5(A) of the Act.

This distribution — at least 60% for the ski area program and no more than 40% for other recreation needs — does not match the Agency's actual capacity needs. While all Forest Service departments and programs face capacity challenges, even on ski area forests the ski area program and its needs are not larger than the rest of the recreation program. Likewise, while ski area forests do see significant visitation, non-ski area forests are feeling these same pressures. By restricting 80% of ski area fees collected for use only on the unit from which the fees originated, Congress will be reducing the Forest Service's ability to expand their capacity where it is most needed. We believe Congress should allow greater Forest Service discretion to determine where funds from the Ski Area Fee Retention Account can be used, within the sideboards outlined in paragraph (4)(B).

Outdoor recreation participation is at an all-time high while Forest Service staffing and resources are near an all-time low. Forest Service capacity is woefully insufficient to meet public expectations, maintain infrastructure, or manage visitor use. The Ski Area Fee Retention Account could provide an important source of funds to supplement Congressional appropriations



and help the Forest Service meet its capacity challenges, but as written, the SHRED Act fails to live up to this potential. To do so, at least 60% of the Ski Area Fee Retention Account should be directed to the activities described in paragraph (5)(B) of the Act.

We support directing a portion of the Ski Area Fee Retention Account to the Forest Service ski area program as described in paragraph (5)(A) but believe this amount should not exceed 40% of the fees collected. This would still provide ample funds and capacity for the agency's ski area program, which is considerably smaller and more narrowly focused than the Recreation, Heritage, and Volunteer Resources program in which it is housed. The most straightforward way to make these adjustments would be to adjust the percentage in paragraph (4)(A)(ii)(I) to 25% and the percentage in paragraph (4)(A)(ii)(II) to 75%. Congress could also ensure greater equity between ski area forests and non-ski area forests by reducing the percentage of funds restricted to use on a covered unit as described in (4)(A)(i). These changes would require adjusting the percentages in paragraphs (4)(B) and (4)(C)(i) and (ii) as well. We welcome further conversations with Subcommittee members and staff concerning these adjustments.

In addition, we suggest expanding the activities described in paragraph (5)(B) to include:

(vi) avalanche information and education activities carried out by the Secretary, state government, or nonprofit partners;

and

(ix) over-snow travel management planning under 36 CFR part 212, subpart C.

As currently written, (5)(B)(vi) fails to include state-run avalanche information centers, such as the Colorado Avalanche Information Center and the Utah Avalanche Center. Our suggested addition to (5)(B)(vi) will ensure these critical partners are eligible for Ski Area Fee Retention Account funds. Furthermore, by including over-snow travel management planning in the activities eligible for Ski Area Fee Retention Account funds, the SHRED Act can help to support a critical winter recreation management need. Ski area forests support many forms of winter recreation, including snowmobiling. Over-snow vehicle travel management planning provides certainty for snowmobilers and other dispersed winter recreation visitors, by designating routes and areas for over-snow vehicle use in a manner that minimizes use conflict and natural resource impacts. Once completed, forest visitors have a clear understanding of where to go to enjoy their preferred winter activity on the national forest and certainty that this access will be preserved.

Finally, under Congressional rules, this legislation will require a funding offset. If this offset comes from the Forest Service's budget it will negatively impact general Forest Service budgeting, directing scarce funds to the ski area program at the expense of other programs within the agency. If the SHRED Act offset redirects general purpose Forest Service funds to the ski area program this will only exacerbate the agency's capacity challenges.



Thank you for the opportunity to provide testimony on this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Hilary Eisen". The signature is fluid and cursive, with a large initial "H" and "E".

Hilary Eisen  
Policy Director  
Winter Wildlands Alliance